



STATE OF WASHINGTON
PUGET SOUND ACTION TEAM

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February 27, 2006

Annie Szvetcz
Water Quality Program
Department of Ecology
P.O. Box 47600
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Dear Ms. Szvetcz:

Thank you for the opportunity to comment on the *Preliminary Draft WSDOT Statewide Municipal Stormwater NPDES and State Waste Discharge General Permit dated December 19, 2005*. I am submitting these comments as director of the Puget Sound Action Team staff rather than as the chair of the multi-agency Puget Sound Action Team partnership.

In general, we support the current draft of the permit and commend the department for its efforts. In particular, we support coverage of the permit throughout the Puget Sound region (as opposed to only in NPDES municipal phase I and II areas) and we support permit provisions that the Highway Runoff Manual provide for equal or greater protection to water quality and beneficial uses as the 2005 *Stormwater Management Manual for Western Washington* (SMMWW). Stormwater runoff poses a serious threat to Puget Sound. In order to address this threat and protect Puget Sound, highway runoff should be managed 1) uniformly throughout the basin, regardless of jurisdictional boundaries or federally mandated permit divisions; and 2) effectively throughout the basin, following the minimum technical requirements and thresholds found in the SMMWW, which represents the region's best thinking on thresholds, flow control, treatment standards, and other technical standards related to stormwater management.

However, we have concerns regarding the monitoring provisions in the permit. The existing permit, issued in 1995, includes monitoring questions we feel are especially valuable in helping our region determine the extent to which highway runoff adversely affects Puget Sound and the ability of best management practices to mitigate the adverse effects. Lacking answers to these questions (paraphrased below under "Areas of concern"), it is difficult to know whether the monitoring provisions in the preliminary draft permit are appropriate and sufficient. We urge the department to make available to interested parties summary answers and supporting data to the monitoring questions from the existing permit. This information should be made available prior to the department issuing the formal draft permit for comment.

We also have concerns regarding timelines in the preliminary draft permit for mapping stormwater outfalls and tributary conveyances. The preliminary draft permit requires WSDOT to map all known outfalls within four years from permit issuance, and *begin* to map tributary conveyances and associated drainage areas within five years from permit issuance. Yet the existing permit, issued in 1995, requires WSDOT to have achieved these same goals by the end of the existing permit cycle. We are concerned that the timelines for completing these important tasks appears to be sliding forward, from permit to permit, without completion or at least significant progress being made.

Our comments are divided into three sections: areas of support, areas of concern, and suggestions for improvement.

Areas of support

- S1B Permit Coverage – We support coverage of the permit throughout the Puget Sound region. (The preliminary draft's coverage throughout the state would achieve this.) This would ensure uniform and consistent management of highway runoff without “donut holes” in less densely populated areas (many of which include more pristine salmon-bearing streams and rivers that must be protected if our region is going to be successful in recovering salmonid species listed under the U.S. Endangered Species Act).
- S5 A3 – We support permit provisions that the Stormwater Management Program Plan be revised and implemented as part of the permit. While the plan has many of the critical elements needed, it lacks timelines and measurable objectives and it's unclear to us which particular flow control and treatment standards would be met. The program also indicates that it would only be applied in NPDES phase I and II areas.
- S5 B5a – We support permit provisions that the Highway Runoff Manual provide for equal or greater protection to water quality and beneficial uses as the SMMWW.
- S5 B7a – We support permit provisions that allow WSDOT to use on-site infiltration and dispersion, and restoration of forest cover, as alternative methods to meet retrofit requirements. These techniques have been shown to manage stormwater in an efficient, cost-effective manner.
- S5 B7a – We support revising the criteria for prioritizing retrofits. The prioritization process should clearly involve factors other than average daily traffic. Possible additional factors might include: water quality impairment as reflected by 303(d) listings; degraded water quality at shellfish harvesting areas; monitoring results of water quality, sediment and/or biota in marine waters; and recommendations from watershed plans and salmon recovery plans.
- S5 B8 – We support permit provisions related to ongoing maintenance of stormwater facilities and catch basins. The periodic frequency listed in the permit appears to be reasonable and consistent with frequencies listed in the Stormwater Management Program Plan.
- Appendix 1 – We support inclusion of this appendix in the permit, and permit provisions stating that all new development projects shall meet the technical standards and thresholds in this appendix.

Areas of concern

- S7 Monitoring – Before developing a formal draft permit for public comment, we recommend that the department first investigate answers to four questions in WSDOT's existing permit (S7 B4) that we find very useful. Paraphrased, these questions are:
 - What are concentrations or loads of pollutants from representative areas or basins? What does this tell us about program effectiveness?
 - What is the effectiveness of selected BMPs?
 - What are the specific sources of pollutants in stormwater discharges?
 - To what degree do stormwater discharges impact select receiving waters and sediments?

We feel that the answers to these questions from the existing permit, issued in 1995, should be explored first before finalizing a monitoring program for a revised permit. We feel it is especially important to better understand the effects of highway runoff on biological resources, both in fresh and marine waters. We further question why there are no monitoring requirements for roads with average daily traffic greater than 30,000 vehicles per day. Has runoff from these roads been so well characterized that monitoring is no longer necessary, and do we fully understand the effects of highway runoff from these sized roads on biological resources? We question whether this is the case.

- S5 B6 Mapping and Documentation – The preliminary draft contains timelines for mapping outfalls (four years) and tributary conveyances and associated drainages (five years) that carry forward requirements from the existing permit (provision S7 B6 in the 1995 Cedar/Green Water Quality Management Area permit). Knowing the number and location of outfalls and conveyances are critical components of an effective stormwater management program. We understand that there are many outfalls and associated drainages yet we are concerned that this activity is being carried forward, through numerous permit cycles, with no completion point or significant progress in sight. We also note that WSDOT, in their 2005 annual NPDES report to the department, does not list outfall and drainage mapping as a priority area. We urge the department to discuss this issue with WSDOT and add additional interim timelines and other needed language to the revised permit to ensure that these important tasks move forward significantly within this permit cycle.

Suggestions for improvement

- S5 B2 b v – We recommend greater specificity in the permit section related to illicit connections. For example, where exactly should WSDOT advertise the water quality complaint/reporting hotline? We recommend both on the main page of their web site and in telephone directories. (We were unable to locate this number on their web site.) This number should be very accessible to citizens.
- S5 B2 b ix – We recommend including language in the permit regarding a spills reporting hotline as well, and recommend advertising this hotline number on the main page of the WSDOT web site and in telephone directories.
- S5 B4 – We recommend including a date in the permit for finalizing the Stormwater Management Program Plan here.
- S5 B5 d ii – We recommend including a date in the permit when WSDOT shall provide training for staff involved in controlling runoff from new development. Since this is a

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permit revision, and WSDOT is currently providing this training, we recommend adding language that the training shall continue, effective immediately upon permit reissuance.

- S5 B8 b i (2) – We recommend including a goal in the permit for reducing use of pesticides, insecticides and fungicides. This number should be negotiated with WSDOT to ensure workability, but perhaps a reduction of 10-20% is reasonable.
- S5 B12 – We recommend adding more specific language to the permit that the results of monitoring, research, maintenance and other activities will be evaluated to improve future iterations of the Stormwater Management Program Plan and the Highway Runoff Manual. This language is currently in S7 but should also appear under “Evaluation.”

Thank you for the opportunity to comment on the preliminary draft WSDOT permit. If you have questions on these comments, please contact Bruce Wulkan, Stormwater Program Manager for the Action Team, at (360) 725-5455 or at bwulkan@psat.wa.gov.

Sincerely,



Director

cc: Nancy Winters
Megan White
Ron Shultz
Bruce Wulkan